

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KIM ROBERT DELAVERGNE,

Plaintiff,

v.

WASHINGTON STATE DEPARTMENT
OF CORRECTIONS, et al.,

Defendants.

CASE NO. C13-1471-JCC

ORDER ADOPTING REPORT AND
RECOMMENDATION

This matter comes before the Court on the Report and Recommendation of the Honorable Mary Alice Theiler, United States Magistrate Judge. (Dkt. No. 10). No objections have been filed. The Court, having considered the Report and Recommendation, the motion papers, and the balance of the record, does hereby find and ORDER:

(1) The Court ADOPTS the Report and Recommendation in full.

(2) Plaintiff's complaint, and this action, are DISMISSED pursuant to 28 U.S.C. §

1915A(b)(1). Plaintiff's claims against the Department of Corrections and Drs.

Fleming and Irving are dismissed with prejudice. All remaining claims are dismissed without prejudice.

(3) The Clerk is respectfully DIRECTED to send copies of this Order to Plaintiff and to Judge Theiler.

1 DATED this 13th day of November 2013.

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8 John C. Coughenour
9 UNITED STATES DISTRICT JUDGE
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